

OFFICIAL COPY

Fresno, California

May 1, 2001

The City Council met in joint session with the Redevelopment Agency at the hour of 8:30 a.m., and thereafter in regular session, in the Council Chambers, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Brad Castillo	Councilmember
	Jerry Duncan	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Acting Council President (arrived shortly thereafter)
	Henry Perea	Council President

Dan Hobbs, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

APPROVE AGENCY MINUTES OF APRIL 24, 2001

On motion of President Perea, seconded by Councilmember Castillo, duly carried, RESOLVED, the Agency minutes of April 24, 2001, approved as submitted.

ADOPT AGENCY CONSENT CALENDAR:

(“A”) APPROVE A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AGREEMENT BETWEEN THE CITY AND REDEVELOPMENT AGENCY; APPROVE AMENDMENT NO. 1 TO THE CURRENT AGREEMENT BETWEEN THE CITY AND REDEVELOPMENT AGENCY, AND APPROVE AMENDMENT NO. 1 TO THE CURRENT AGREEMENT BETWEEN THE AGENCY AND HOUSING AUTHORITY REGARDING USE OF CDBG INFRASTRUCTURE FUNDS IN PURSUIT OF THE PILOT WEATHERIZATION PROJECT WITHIN CDBG ELIGIBLE AREAS; AND APPROVE THE EXECUTION OF THE NECESSARY DOCUMENTS (COUNCIL AND AGENCY ACTION)

(“C”) APPROVE THE CONSULTANT AGREEMENT BETWEEN THE AGENCY AND TRICITY ENGINEERING FOR THE DOWNTOWN STADIUM STREET BEAUTIFICATION PROJECT; AND AUTHORIZE THE EXECUTIVE DIRECTOR OR REDEVELOPMENT ADMINISTRATOR TO SIGN THE AGREEMENT ON BEHALF OF THE AGENCY (AGENCY ACTION)

(“D”) APPROVE A COOPERATIVE AGREEMENT BETWEEN THE AGENCY, THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT FOR THE CONSTRUCTION OF DRAINAGE UTILITY AND ROAD WORK IN THE ROEDING BUSINESS PARK REDEVELOPMENT PROJECT AREA; AND AUTHORIZE THE EXECUTIVE DIRECTOR OR REDEVELOPMENT ADMINISTRATOR TO SIGN THE AGREEMENT ON BEHALF OF THE AGENCY (COUNCIL AND AGENCY ACTION)

On motion of Councilmember Castillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled **AGENCY CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Perea, Quintero, Duncan
Noes	:	None
Absent	:	Ronquillo

(“B”) CONSIDER MATTERS REGARDING THE INSTALLATION OF A 12" WATER MAIN IN “Q” STREET FROM FRESNO TO DIVISADERO STREETS AND IN DIANA STREET FROM DIVISADERO TO MCKENZIE AVENUE WITHIN THE JEFFERSON REDEVELOPMENT AREA (COUNCIL AND AGENCY ACTION)

1. JOINT RESOLUTION NO. 01-142/1579 - MAKING CERTAIN FINDINGS PURSUANT TO SECTION 33445 OF THE COMMUNITY REDEVELOPMENT LAW, AND AUTHORIZING THE AGENCY TO FUND COSTS FOR INSTALLING THE 12" WATER MAIN

2. AWARD A CONTRACT TO KELLY CONSTRUCTION IN THE AMOUNT OF \$134,395 FOR THE INSTALLATION OF THE 12" WATER MAIN

On motion of Councilmember Castillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled **Item “B” 1 and 2** hereby adopted, by the following vote:

Ayes	:	Boyajian, Castillo, Perea, Quintero, Duncan
Noes	:	None
Absent	:	Ronquillo
Abstain	:	Calhoun

(“E”) RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF TO DEVELOP COST, TIMETABLE AND POTENTIAL SOURCES OF REVENUE TO IMPLEMENT THE PROPOSED STREETScape IMPROVEMENTS FOR VENTURA/KINGS CANYON CORRIDOR IN THE SOUTHEAST FRESNO REVITALIZATION REDEVELOPMENT PROJECT AREA (COUNCIL AND AGENCY ACTION)

Acting President Ronquillo arrived at 8:32 a.m. Briefly reviewed by Councilmember Quintero who requested Council’s support and made a motion to approve staff’s recommendation. Redevelopment Administrator Murphey responded to questions of President Perea relative to the funding source for the \$466,000.

On motion of Councilmember Quintero, seconded by Acting President Ronquillo, duly carried, RESOLVED, City and Agency staff directed to estimate the costs of the proposed improvements, identify funding sources and recommend project prioritization and timetable, and the City and Agency directed to enter into an agreement for an advance of City budgeted funds in the approximate amount of \$466,000 for streetscape improvements to be implemented by the Redevelopment Agency, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Perea, Quintero, Ronquillo, Duncan
Noes : None
Absent : None

(“F”) RECEIVE UPDATED REPORT REGARDING A PROPOSED DOWNTOWN 400-ROOM WYNDHAM HOTEL COMPLEX WITHIN THE CONVENTION CENTER/EXHIBIT HALL AREA AND PROVIDE AGENCY AND CITY STAFF WITH FURTHER DIRECTION (COUNCIL AND AGENCY ACTION)

Director Fitzpatrick reviewed the issue and staff report as submitted, and advised one of the key elements for the success and financing of the project was parking adding it was going to be critical that Council and the Agency move forward concurrently with a parking facility on the convention center lot consistent with the convention center modernization project.

Diane Ophelia stated a lot of progress had been made in negotiations with the City and with the development of the hotel, thanked staff for their cooperation, and advised the architects and developers for the hotel were present to answer any questions.

Sharon Nishida, Integrated Designs, reviewed the design aspects of the hotel displaying renderings from different views to illustrate, and clarified the designs were very conceptual and needed to be fine-tuned.

Bob Dwyer, 1,000 Friends of Fresno, requested Council act on the Charter amendment relative to competitive bidding before moving forward with the project.

Acting President Ronquillo spoke in support of the hotel and moving forward and made a motion to approve staff’s recommendation, which motion was seconded and acted upon after discussion.

Mr. Fitzpatrick, City Manager Hobbs, Ms. Nishida and Mike DeFrancesco, ALGEN’s director of technical architectural and engineering services responded to questions of President Perea and Councilmembers Boyajian, Calhoun, Quintero and Ronquillo and/or clarified issues relative to keeping the parking issue on a parallel track, ability to coordinate the hotel with the convention center, the hotel project being an open public process, ALGEN’s development experience, a common wall for flow into the exhibit hall from the hotel and parking being critical, and the project being a prevailing wage construction and union project. Chair Duncan thanked the Ophelia’s and ALGEN for an outstanding proposal stating he believed it was going to happen.

On motion of Acting President Ronquillo, seconded by Councilmember Castillo, duly carried, RESOLVED, by minute order, a six month exclusive negotiation period for development rights with ALGEN Development and Construction, Inc./Ophelia Family for the site at 800-808 “M “ Street hereby approved; and the Executive Director and City Manager, or designees, directed to negotiate and prepare a Disposition and Development Agreement, or Owner’s Participation Agreement, Lease Agreement, possible Contingent Purchase Agreement, and associated agreements and documents, based on the Conceptual Deal Points outlined in Attachment “A” of the staff report, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Perea, Quintero, Ronquillo, Duncan
Noes : None
Absent : None

AGENCY UNSCHEDULED ORAL COMMUNICATIONS:

APPEARANCE BY DENNIS LEWIS, STATING HIS OPPOSITION TO TULARE AND VAN NESS AS AN APPROPRIATE SITE FOR A PARKING GARAGE

Appearance made; no action taken.

- - - -

The joint bodies adjourned the meeting at 9:08 a.m. and the City Council convened in regular session at 9:09 a.m. with all members present.

Pastor Jerry J. Voss, Millbrook Presbyterian Church, gave the invocation, and Tim Reese, Marjaree Mason Center, led the Pledge of Allegiance to the Flag.

RESOLUTIONS OF COMMENDATION TO THE 2001 PORTRAITS OF SUCCESS RECIPIENTS

RESOLUTION OF COMMENDATION TO LARRY WILLEY - COUNCILMEMBER CASTILLO (2 - 0)

PROCLAMATION OF "WATER AWARENESS MONTH - CART (CENTER FOR ADVANCED RESEARCH AND TECHNOLOGY" - COUNCILMEMBER CASTILLO

PROCLAMATION OF "EDISON HIGH SCHOOL DAY" - ACTING PRESIDENT RONQUILLO

PROCLAMATION OF "FRIENDS OF THE MARJAREE MASON CENTER DAY"

PROCLAMATION OF "WATER AWARENESS MONTH - CEDAR VISTA PSYCHIATRIC SERVICES" - COUNCILMEMBER CALHOUN

PROCLAMATION OF "CLEAN AIR MONTH"

The above resolutions and proclamations were read and presented.

PRESENTATION OF P.R.I.D.E. TEAM CERTIFICATES FOR THE SPRING QUARTER

Certificates of Appreciation were presented to employees selected from each department and Council recessed for a brief reception to honor the employees.

- - - -

RECESS - 9:57 A.M. - 10:14 A.M. Acting President Ronquillo arrived later.

APPROVE CITY COUNCIL MINUTES OF APRIL 24, 2001

On motion of Councilmember Duncan, seconded by Councilmember Quintero, duly carried, RESOLVED, the minutes of April 24, 2001, approved, *as amended*, on Page 137-187, Item 9:45 A.M., *adding* the following last sentence at the end of the last paragraph: “*Councilmember Calhoun volunteered he and his staff to work with groups on the issue of private sector housing.*”

- - - -

APPROVE AGENDA:

(5A) REQUEST STAFF TO FOLLOW-UP ON THE TRANSFER OF PROPERTY LOCATED AT 645 S. MINNEWAWA (ALPHA HOUSE, INC.) - COUNCILMEMBER QUINTERO

(5C) DIRECT CITY MANAGER TO DIRECT THE PUBLIC WORKS DEPARTMENT TO HAVE SCHOOL CROSSING SIGNS INSTALLED ON JENSEN AVENUE AT CEDAR AVENUE WITHIN TWO (2) WEEKS - COUNCILMEMBER QUINTERO

Removed from the agenda by Councilmember Quintero who stated the matters were resolved.

On motion of Councilmember Quintero, seconded by Councilmember Castillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

- - - -

ADOPT CONSENT CALENDAR:

(1A-1) APPROVE REAPPOINTMENT OF LISA SCHUMACHER TO THE HISTORIC PRESERVATION COMMISSION - COUNCILMEMBER BOYAJIAN

(1A-3) AWARD A CONTRACT FOR THE BASE BID AND ADD-ALTERNATE I TO A.C. ELECTRIC IN THE AMOUNT OF \$286,966 FOR TRAFFIC SIGNAL INSTALLATION AT THE TWO (2) SHAW AND FREEWAY 99 OFF-RAMPS

(1A-4) * RESOLUTION NO. 01-143 - 133RD AMENDMENT TO AAR 00-183 APPROPRIATING \$500 OF DISTRICT 7'S GENERAL FUND INFRASTRUCTURE TO FUND THE ROWELL ELEMENTARY SCHOOL CARNIVAL

(1A-6) * RESOLUTION NO. 01-144 - 129TH AMENDMENT TO AAR 00-183 APPROPRIATING A TOTAL OF \$1.928,949 TO FUND STAFF, CONSULTANT AND CONSTRUCTION COSTS FOR THE TEA-21/CMAQ FUNDED TRAFFIC MITIGATION CAPITAL IMPROVEMENT PROJECTS, AND \$233,000 FOR THE VENTURA FROM UPRR TO “M” STREET PROJECT

(1A-7) RESOLUTION NO. 01-145 - AUTHORIZING AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR A LOW INTEREST LOAN TO INSTALL PERMANENT DISINFECTION FACILITIES AT EXISTING WELL SITES, AND DESIGNATING THE INTERIM DIRECTOR OF PUBLIC UTILITIES AS THE AUTHORIZED REPRESENTATIVE TO EXECUTE THE APPLICATION

(1A-8) AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PROVISIONS FOR TWO ONE-YEAR EXTENSIONS TO ROCKY MOUNTAIN WELDING AND FABRICATION IN THE ESTIMATED AMOUNT OF \$174,836.81 FOR METAL REFUSE CONTAINERS

(1A-9) APPROVE A LEASE AGREEMENT WITH UNITED BLACKMEN OF FRESNO, INC., FOR SPACE AT 1929 E. CHURCH AVENUE; APPROVE THE DRAFT LEASE AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE, WITH THE CONCURRENCE OF THE CITY ATTORNEY, TO MAKE SUCH ADDITIONAL NONMATERIAL MODIFICATIONS WHICH ARE DETERMINED TO BE APPROPRIATE TO THE DRAFT LEASE PRIOR TO EXECUTION; AND AUTHORIZE THE CITY MANAGER/DESIGNEE TO SIGN THE FINAL LEASE AGREEMENT

On motion of Councilmember Castillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

- - - -

CONTESTED CONSENT CALENDAR ITEMS:

(1A-2) * RESOLUTION NO. 01-146 - 123RD AMENDMENT TO AAR 00-183 TRANSFERRING \$700,000 OF THE PROPERTY/LIABILITY SELF-INSURANCE FUND'S CONTINGENCY TO PAY CLAIMS

Upon question of Councilmember Castillo, Risk/Safety Manager Turner and City Attorney Montoy clarified issues relative to the additional \$200,000 being requested.

On motion of Councilmember Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Resolution No. 01-146 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

(1A-5) * RESOLUTION NO. 01-147 - 128TH AMENDMENT TO AAR 00-183 APPROPRIATING FUNDS FOR THE COMPLETION OF CERTAIN CAPITAL PROJECTS

Public Works Director Williamson responded briefly to questions of Councilmember Calhoun relative to the bikelane project and funding source **(3 - 0)**. Acting President Ronquillo arrived at 10:21 a.m.

On motion of Councilmember Calhoun, seconded by Councilmember Castillo, duly carried, RESOLVED, the above entitled Resolution No. 01-147 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

- - - -

(9:30 A.M.) PRESENTATION OF FISCAL YEAR 2002 PROPOSED BUDGET - MAYOR AUTRY

Mayor Autry stated the budget being presented was a strong, solid, thoughtful budget that addressed the needs of the city; advised funding for enhanced youth activities, downtown revitalization, maintaining a high level of public safety, and senior services were some of his priorities and elaborated; noted Council infrastructure/"other uses" budgets were again included in a reduced amount as agreed to; and concluded stating there was a new spirit in Fresno, the proposed budget was a big step in turning vision into reality, and thanked Council for working in a true collaborative effort with the Mayor's office. Council complimented and commended the Mayor for his openness, for involving Council in the budget process, and for his integrity.

City Manager Hobbs commented on the importance of the budget process, summarized his goals for the upcoming year, and advised "budget scrub worksheets" containing an explanation of every line item in every operation in every department would be presented at the first budget hearing on May 15th. Budget Manager Bruney gave an overview of the budget including changes for FY 02, the budget process, the general fund, and utility rates, and identified and commended his staff for all their hard work adding they were available to answer questions at any time.

President Perea stated he was happy with the neighborhood projects and advised water rates, the new positions being proposed, and stabilizing funding sources for police and fire would be issues of discussion. Councilmember Quintero commended the Mayor and budget staff stating the budget was easier to understand, and Acting President Ronquillo complimented the City's organizational chart which depicted an equal partnership of the Mayor and City Council. There was no further discussion.

- - - -

(9:45 A.M.) DESIGNATION OF THE CITY'S FUEL PATH AS REQUIRED BY THE CALIFORNIA AIR RESOURCES BOARD (CARB) FLEET RULE FOR TRANSIT AGENCIES

1. * RESOLUTION - DESIGNATING THE CLEAN DIESEL PATH IN COMPLIANCE WITH THE CARB FLEET RULE

2. * RESOLUTION NO. 01-148 - DESIGNATING THE ALTERNATIVE FUEL PATH IN COMPLIANCE WITH THE CARB FLEET RULE

President Perea made a motion to adopt the resolution designating the alternative fuel path, which was seconded and acted upon after discussion. Councilmember Duncan spoke in opposition to the motion citing the erratic nature of natural gas prices and stated clean diesel was cleaner than natural gas due to tougher standards and elaborated. Acting President Ronquillo stated the main reason he changed his position to support clean diesel was the cost factor of natural gas fuel and fuel in general and explained **(4 - 0)**.

** Visiting students from John Muir School were recognized and welcomed.

Councilmember Boyajian spoke in support of the motion stating he respected Transit staff's recommendation, emphasized leadership was needed at times and elaborated, and added diesel and clean air did not go together.

Gloria Torrez, 2600 N. Fresno Street, spoke in support of clean diesel.

President Perea stated when you start eliminating pollutants air quality improves over time and questioned why anyone would not want to do that, and concurred natural gas prices were more expensive today but stated cost was not the issue and elaborated. Councilmember Duncan emphasized an interest in clean air was not the issue noting everyone wanted it, and stated although both paths were legitimate clean diesel was the better path. City Manager Hobbs stated there was conflicting cost data on table relative to costs, noted all data he had from City staff indicated CNG was a more expensive proposition, noted he had not had an opportunity to examine and critique that data, and stated staff could provide a more definitive report in one week if Council wished to delay action. President Perea stated Council would move forward with the issue this date and directed staff's report still be provided to the Mayor.

On motion of President Perea, seconded by Councilmember Castillo, duly carried, RESOLVED, the above entitled Resolution No. 01-148 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Perea
Noes	:	Duncan, Quintero, Ronquillo
Absent	:	None

- - - -

(10:15 A.M.) STATUS OF THE KINGS CANYON ROAD UNDERGROUND UTILITY DISTRICT - COUNCILMEMBER QUINTERO

1. APPROVE NEW THREE YEAR UNDERGROUND UTILITY DISTRICT PLAN

Laid over one week at the direction of Councilmember Quintero.

- - - -

(10:30 A.M.) REQUEST AUTHORIZATION FOR CITY MANAGER/DESIGNEE TO EXECUTE A PARKING AGREEMENT WITH FRESNO PARK TOWER LLC, FOR FIFTY (50) PARKING STALLS WITHIN GARAGE NO. 8, SUBJECT TO CITY ATTORNEY APPROVAL - ACTING PRESIDENT RONQUILLO

Assistant City Manager Souza clarified the parking stalls would not be used for the Fresno Plaza Hotel, noted extensive discussion had occurred resulting in an amicable situation, and recommended approval. Acting President Ronquillo spoke in support stating the area at issue was under-utilized and there would be added revenues and explained.

On motion of Acting President Ronquillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the City Manager/designee authorized to execute a parking agreement with Fresno Park Tower LLC, for fifty (50) parking stalls within Garage No. 8, subject to City Attorney approval, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes : None
Absent : None

- - - -

**(10:55 A.M.) APPEARANCE BY MARGE PANCOTTI-CHERNICK TO DISCUSS COMMUNITY CONCERNS
RESIDENTS OF WEST FRESNO SHARE**

Request to appear withdrawn.

- - - -

**(10:50 A.M.) APPEARANCE BY REPRESENTATIVES FROM SUNSET WASTE PAPER, INC. TO REQUEST
AN EXTENSION OF THEIR CONTRACT**

Tony Lisenko, SWP, John Mulhoff, SWP General Manager, and Tony Coen, Investment Banker, Walnut Creek, CA, spoke in support of the extension and gave an overview of the company and spoke to the contract financing.

Speaking to the issue were Alice Brandenburg, USA Waste, 4333 E. Jefferson, opposed to the contract extension; Harlan Kelly, 3378 W. Kearney Boulevard, support; Myser Keels, 1060 Jones, support; Mark Scozzari, representing BFI, 1625 E. Shaw #130, opposed; Jason Johnson, 1124 N. Chapel Hill, Clovis, support; Patricia Valdez, 5604 W. Willis, support; and Richard Caglia, Industrial Waste and Salvage/Orange Avenue Disposal, 3280 S. Orange, opposed.

President Perea stated the request was more of a legal issue and noted if it were to be determined to be legal for Council's consideration it would then become a Council policy matter. Councilmember Duncan made a motion to direct staff to provide a legal analysis on the request and return with options and a recommendation in two weeks, which was seconded and acted upon after discussion.

Attorney Richard Haft, Los Angeles, CA, representing SWP and another unidentified SWP representative responded to questions of Councilmember Castillo relative to what the immediate monetary benefit would be to the City if the contract were extended, loan payback cost to the City and what it would be reduced to if the contract was extended to twenty years, amount that would be returned to the City for possible savings to the ratepayers, and what projections were based upon.

Councilmember Boyajian spoke in opposition to the request stating to change the rules was not fair or equitable to the companies who bid on the contract, and added all the issues were on the table before and approval of the request would not show integrity on Council's part. Acting President Ronquillo commented briefly on the new facility and complimented SWP on the exterior look **(5 - 0)** adding it would accommodate future growth in the area.

On motion of Councilmember Duncan, seconded by Councilmember Calhoun, duly carried, **RESOLVED**, staff directed to conduct a legal analysis of the request and report back in two weeks with options and a recommendation, by the following vote:

Ayes : Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes : Boyajian
Absent : None

- - - -

(11:15 A.M.) APPEARANCE BY ALLISON LARSEN, ECONOMIC DEVELOPMENT CORPORATION (EDC),

Ms. Larsen, Interim President/CEO, submitted a packet to Council and reported at length on EDC's year-to-date accomplishments vs. goals in the areas of client services, marketing Fresno County, fund-raising from investors, Board relations, City relations, planning, and professional development, all contained in the material submitted, a copy of which is on file in the office of the City Clerk, and responded to questions and/or comments/suggestions of Acting President Ronquillo and Councilmember Boyajian relative to annual funding and raising private capital, EDC's work with the Workforce Development Board, marketing movies, and need to be pro-active in marketing Fresno to the bay area. Councilmember Castillo thanked Ms. Larsen for her report and presentation.

- - - -

(5B) REQUEST CITY ATTORNEY TO CLARIFY PROCESS, AS STATED IN THE FRESNO MUNICIPAL CODE, TO BE USED TO AMEND COUNCIL DISTRICT BOUNDARIES AS A RESULT OF THE 2000 CENSUS - COUNCILMEMBER DUNCAN

Briefly reviewed by Councilmember Duncan who advised a process would begin in the very near future to redistrict Council boundaries, and upon request, City Attorney Montoy gave a short oral preview of a comprehensive report she advised would be submitted to Council on May 15th, and responded briefly to questions of President Perea and Councilmember Boyajian and/or clarified issues relative to a Charter provision to add additional Council seats and if removing that mechanism had to go before the voters, who would be handling the redistricting process, public hearings that would be held, and Council input in the process and Council making the final decision. There was no further discussion.

- - - -

LUNCH RECESS - 12:24 P.M. - 2:00 P.M.

(4A) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:

1. MEMORIAL AUDITORIUM RESTORATION SOCIETY ("MARS") V. CITY OF FRESNO
2. R. L. DAVIDSON, INC., V. CITY OF FRESNO, ET AL.
3. MONREAL V. CITY OF FRESNO - PRESIDENT PEREA

The City Council met in closed session in Room 2125 at the hour of 2:00 p.m. to consider the above matters and adjourned thereafter.

- - - -

ADJOURNMENT

There being no further business to bring before the Council, the hour of 3:06 p.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

APPROVED on the 8th day of May, 2001.

ATTEST:_____

Henry Perea, Council President

Yolanda Salazar, Assistant City Clerk